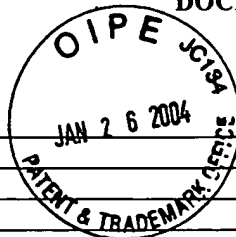


**VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(c)-SMALL BUSINESS CONCERN)**

DOCKET NUMBER. 061408.2004-102

Applicant or Patentee: Fiber Optic Network Solutions Corporation
Serial or Patent No. 10/035,031
Filed or Issued: December 21, 2001
For: Module and Housing for DWDM Equipment



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I hereby state that I am

☐ the owner of the small business concern identified below:

☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN: Fiber Optic Network Solutions Corporation

ADDRESS OF ORGANIZATION: 30 Forbes Road
Northborough, MA 01532

I hereby state that the above identified small business concern qualifies as a small business concern as defined in 13 CFR Part 121 for purposes of paying reduced fees to the United States Patent and Trademark Office. Questions related to size standards for a small business concern may be directed to: Small Business Administration, Size Standards Staff, 409 Third Street, SW, Washington, DC 20416 or you may call 202-205-6618.

I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

☐ the specification filed herewith with title as listed above.

☒ the application identified above.

☐ the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention must file separate statements as to their status as small entities. No rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).


Each person, concern or organization having any rights in the invention is listed below:

☒ no such person, concern, or organization exists.

☐ each such person, concern, or organization is listed below.

Separate statements are required from each named person, concern, or organization having rights to the invention stating their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

NAME OF PERSON SIGNING Michael Noonan
TITLE IN ORGANIZATION President
ADDRESS OF PERSON SIGNING 30 Forbes Road, Northborough, MA 01532
SIGNATURE  DATE 10/15/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Steven John Schray

Application No.: 10/035,031 Filed Date: December 21, 2001

Confirmation No.: 9217 Group: 2839 Examiner: C. Prasad

For: Module and Housing for DWDM Equipment



| CERTIFICATE OF MAILING | |
|---|------------------------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 | |
| on <u>January 23, 2004</u> | <u>Sharon R. Lloyd</u> |
| Date | Signature |
| <u>Sharon R. Lloyd</u> | |
| Typed or printed name of person signing certificate | |

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Amendment and Fee Transmittal

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Amendment for filing in the above-identified application.

- ☐ Small entity status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a Small Entity Statement previously submitted.
- ☒ A Small Entity Statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.

The fee has been calculated as shown below:

| (COL. 1) | | (COL. 2) | | (COL. 3) | SMALL ENTITY | | OR | OTHER THAN SMALL ENTITY | |
|---|----------------------------------|----------|---------------------------------|---------------|--------------|------------|---------|-------------------------|------------|
| | CLAIMS REMAINING AFTER AMENDMENT | | HIGHEST NO. PREVIOUSLY PAID FOR | PRESENT EXTRA | RATE | ADDIT. FEE | | RATE | ADDIT. FEE |
| TOTAL | 5 | MINUS | 1 | 4 | X \$9 | \$ | X | \$18 | \$0.00 |
| INDEP | 1 | MINUS | 1 | 0 | X \$43 | \$ | X | \$86 | \$0.00 |
| FIRST PRESENTATION OF MULTIPLE DEP. CLAIM | | | | 0 | + \$145 | \$ | + | \$290 | \$0.00 |
| | | | | | TOTAL = | \$ 0 | TOTAL = | \$0.00 | |

* not fewer than 20
** not fewer than 3

Please charge Deposit Account No. 50-1935 for the following fees:

| | | |
|--------------------------|--|-----------------|
| <input type="checkbox"/> | Petition for three month Extension of Time | \$ _____ |
| <input type="checkbox"/> | Amendment Fee | \$ _____ |
| <input type="checkbox"/> | Other Fees: | \$ _____ |
| | _____ | \$ _____ |
| | _____ | \$ _____ |
| | TOTAL: | \$ <u>_____</u> |

A check is enclosed in payment of the following fees:

| | | |
|-------------------------------------|--|------------------|
| <input checked="" type="checkbox"/> | Petition for three (3) month Extension of Time | \$ <u>475.00</u> |
| <input type="checkbox"/> | Amendment Fee | \$ _____ |
| <input type="checkbox"/> | Other Fees: | \$ _____ |
| | _____ | \$ _____ |
| | _____ | \$ _____ |
| | TOTAL: | \$ <u>475.00</u> |

☒ A general authorization is hereby granted to charge Deposit Account No. 50-1935 for any fees required under 37 C.F.R. 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.

Respectfully submitted,

BOWDITCH & DEWEY, LLP

Bowditch & Dewey, LLP
161 Worcester Road
P.O. Box 9320
Framingham, Massachusetts 01701-9320

By Monica Grewal
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